



June 28, 2013

Mr. Rich Jones  
MuckRock News  
Dept. MR 5970  
P.O. Box 55819  
Boston, MA 02205-5819

RE: FOIA Case No. 2013-FPRO-00819

Dear Mr. Jones:

This responds to your Freedom of Information Act (FOIA) request dated June 10, 2013, which you seek access to Postal Service records. Specifically, you requested any and all documents detailing the Mail Isolation Control and Tracking (MICT) program, to include any and all relevant contracts, purchase orders, locations of physical hardware, emails, memos, PowerPoint presentations and requests for system access by the FBI or any other federal agencies.

Records responsive to your request may exist within our Supply Management, Office of National Preparedness, and Inspection Service Departments, all located at Postal Service National Headquarters in Washington, DC. I have forwarded your request to those Departments for necessary action and direct response to you.

We note that in your letter you ask to be treated as a news media/press representative "...as part of the public information service at MuckRock.com" for the purpose of assessing fees. Although you may have submitted your request through Muckrock.com, a Web site which serves as a request proxy, you have not demonstrated how you are actively gathering news for an entity that disseminates news to the public.

You also requested that charges be waived because of the public interest in the information requested. In response, we decline your request for a fee waiver. Postal Service regulations governing the waiver of fees (Section 265.9(g)(3) of Title 39, Code of Federal Regulations) permit waiver of a fee when it is determined that furnishing the records is deemed to be in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the federal government, and is not primarily in the commercial interest of the requester.

Postal Service regulations provide that a requester may ask that fees or the advance payment of fees be waived in whole or in part. The waiver request must describe all of the following: how the information will be used; to whom it will be provided, including the public; how the public is to benefit from the disclosure; any personal or commercial benefit that the requester expects from disclosure; and the intended user's identity, qualifications, and expertise in the subject area (see Section 4-2.3, Handbook AS-353, *Guide to Privacy, the Freedom of Information Act, and Records Management*). Your fee waiver request did not include all of this required information.

Regarding fees under the FOIA, fair and equitable fees are established to permit the furnishing of records to the public, while recovering costs incurred by the Postal Service. Costs are calculated under our fee regulations at section 265.9 of Title 39, Code of Federal Regulations, as they apply to "other requesters."

Those regulations permit us to assess fees at a rate of \$32.00 per hour for manual search time and \$0.15 cents per page for duplication after providing the first two hours of search time and the first 100 pages at no charge. The fee for retrieving electronic data is the actual direct cost of the retrieval, including computer search time and personnel cost in effect at the time and personnel cost in effect at the time that the retrieval services are performed. In addition, our regulations require that requesters be notified in advance of all costs expected to exceed \$25.00. Fees totaling less than \$10 are waived. For requests in which the cost of processing will exceed \$250.00, we require at least 50 percent advance payment with a written agreement to accept any assessable costs incurred.

If you have questions regarding the status of your request, you may contact the FOIA Requester Service Center at 202-268-2608.

Thank you for your interest in the Postal Service.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cheryl Woody".

Cheryl Woody  
Privacy and Records Specialist